



United Nations Environment Programme



Distr.
GENERAL

UNEP/GC.16/21/Add.3
25 March 1991

ORIGINAL: ENGLISH

GOVERNING COUNCIL
Sixteenth session
Nairobi, 20-31 May 1991

Item 7 of the provisional agenda

PROGRAMME MATTERS REQUIRING POLICY GUIDANCE FROM THE COUNCIL

Report of the Executive Director

Addendum

Climate Change

Biological Diversity

Sustainable Agriculture

Summary

In the present, third addendum to UNEP/GC.16/21, the Executive Director reports on activities related to climate change, implemented since the second special session of the Governing Council. This report includes (a) the results of the Second World Climate Conference; (b) the activities of the Intergovernmental Panel on Climate Change; and (c) the process of preparation of a framework convention on climate change.

In relation to biological diversity, the Executive Director reports on the progress made in the preparation of an international legal instrument on biological diversity. Additionally, this report contains a summary of activities initiated for the implementation of Governing Council decision 15/24 on sustainable agriculture.

I. CLIMATE CHANGE

A. Second World Climate Conference

1. In its decision SS.II/3, section A, the Governing Council requested the Executive Director (a) to convene, jointly with the Secretary-General of the World Meteorological Organization (WMO), a preparatory meeting to prepare the draft of a ministerial declaration for the Second World Climate Conference; (b) to request the Secretary-General of the United Nations to plan to take into account the outputs of the Second World Climate Conference in the discussion of the climate issue by the General Assembly at its forty-fifth session; and (c) to report to the Council on the potential implications to UNEP of the results of the Conference.

2. The Second World Climate Conference was convened in Geneva from 29 October to 7 November 1990. It reviewed the progress of the World Climate Programme (WCP) since its inception at the World Climate Conference in 1979, and recommended how the WCP should be structured and how it would operate in the last decade of the century. Several of the recommendations of the Second World Climate Conference are of relevance to UNEP, particularly in the further implementation of the World Climate Impact Studies Programme.

1. The implications of the Conference statement

3. Since the inception of the WCP, UNEP has been an active partner in the programme. One deficiency in this otherwise successful programme is the limited participation of Governments, United Nations bodies and specialized agencies other than the World Meteorological Organization, UNEP and the International Oceanographic Commission of UNESCO, and by non-governmental organizations other than the International Council of Scientific Unions (ICSU).

4. According to part III of the Conference statement, "Organizational and Policy Issues for International Activities", the WCP should be broadened and closely co-ordinated with related programmes of other agencies in response to increased emphasis on the prediction of climate and its impacts. In a broader WCP, the burden of assessing of the impacts of climate variability and change on socio-economic systems and on the environment will be shared with participating agencies and specialized non-governmental organizations and government departments. UNEP's role will be of a broad co-ordinating character for all programmes on climate impacts to be incorporated into the WCP and studies needed to formulate the proper response strategies.

/...

5. The Executive Director notes the recommendations of the Conference that intensified efforts are required to refine further our ability to predict short-term climate variability, anticipate climate impacts, and identify rational strategies to mitigate or prevent adverse impacts, including those that climate change threatens to have.
6. The Second World Climate Conference calls for a specific initiative to create a network of regional, interdisciplinary research centres, located primarily in developing countries and focusing on all the natural science, engineering and social science disciplines required to support fully integrated studies of global climate change, its impacts and policy response.
7. In relation to the changing level of CO₂ and other greenhouse gases, it is important to pay attention to gaseous emissions from farmlands. The relationship between land use/land cover and greenhouse gases will have to be examined within the context of global warming. There is a need to analyze climate data in relation to land degradation and terrestrial ecosystems.
8. It is necessary to carry out a diagnostic study of climate variability within the framework of hydrological cycles and various climate regimes, in order to ensure comprehensive action regarding early-warning systems. Such efforts should be focused on how to develop adequate early-warning systems under various climatic conditions.
9. The Second World Climate Conference recognized that people need better information on the role of climate in development and on the additional risks posed by climate change. UNEP's programme of public information (books, films, audio-visual kits, roving seminars, etc.) will be strengthened and, as necessary, augmented by other traditional and innovative methods of public information, education and training. UNEP is consulting with the Swiss Government seeking financial support for a project on climate information dissemination within the framework of Earthwatch/GEMS. This is to be followed by a search for wider support from other donors.
10. Second World Climate Conference also identified an urgent need to create a Global Climate Observing System (GCOS) and requested that its development and implementation should be pursued with urgency by scientists, Governments and international organizations. UNEP is involved in both the WCP and the International Geosphere-Biosphere Programme and recognizes the need for close co-ordination of both programmes. UNEP's support for research and monitoring through the International Geosphere-Biosphere Programme, particularly concerning terrestrial ecosystems, will assist in the drawing up of improved projections of regional climate impacts.
11. The Executive Director notes the expressions that urgency is called for in dealing with climate change and welcomes the call to nations to launch negotiations on a convention on climate change and related legal instruments without delay, with the aim of adopting such a convention in 1992. UNEP, in conjunction with WMO and in accordance with Governing Council decisions, gives priority to facilitating the negotiating process. It is necessary that there be full participation by developing countries in all relevant activities concerning climate change. These activities include the negotiations on a convention on climate, the work of the Intergovernmental Panel on Climate Change (IPCC) and other relevant research and assessment programmes.

2. The implications of the ministerial Declaration

12. The special circumstances of developing countries were particularly recognized by the ministers who adopted the Declaration on 7 November 1990. The Ministers recommended that adequate and additional financial resources should be mobilized and the best available environmentally sound technology should be transferred expeditiously, on a fair and most favourable basis.

13. UNEP will assist Governments in programmes to estimate the costs of complying with emission control measures and to identify the technological needs on a country by country basis. The roles of the proposed World Bank/UNEP/UNDP Global Environmental Facility, of a clearing-house mechanism and of a possible new international fund comprising adequate additional and timely financial resources and institutional arrangements for developing countries were recognized as essential by the ministers.

14. The Ministerial Declaration called for the preservation of world resources - notably the sustainable exploitation of forests. UNEP's programmes have a responsibility to develop activities encompassing a common approach for reducing the consumption of natural resources that preserve the global atmospheric environment.

B. Intergovernmental Panel on Climate Change

15. The Governing Council in its decision SS.II/3, section B requested the Executive Director to arrange, jointly with the Secretary-General of the World Meteorological Organization, for the continuation of the IPCC and to report regularly to the Governing Council on the progress of the work of IPCC.

16. The activities of IPCC were geared towards the timely publication of the IPCC First Assessment Report for the Second World Climate Conference and the forty-fifth session of the United Nations General Assembly, in order to pave the way for a start to the negotiations on a framework convention on climate change. In this connection, a third session of IPCC was convened in Washington D.C. with the main objectives of (a) assessing the progress made by the three Working Groups and the Special Committee on the Participation of Developing Countries; (b) reviewing the preparations of UNEP and WMO for negotiations on a framework convention on climate change, and (c) receiving a report on the preparations for the Second World Climate Conference.

17. At its second session in Washington D.C. (8-9 February 1990) the expanded Bureau of the IPCC decided on the structure of the IPCC First Assessment Report.

18. After a series of international workshops to draft and review the eleven sections that constitute the report of Working Group I (scientific aspects of climate change), the Group convened a meeting of lead authors in Edinburgh (United Kingdom) from 26 February to 3 March 1990.

19. The Chairman of the Working Group II (Environmental and Socio-economic Impacts resulting from climate change) convened two main meetings. A meeting of the co-chairmen of the seven subgroups was organized in Nalchik (USSR) from 24 February to 2 March 1990. The report of the Group, including the policymakers' summary, was adopted by a plenary session convened in Moscow from 28 to 31 May 1990.

20. The Response Strategies Working Group (Working Group III) organized a series of seminars for its main subgroups. The Group met in plenary in Geneva from 5 to 8 June 1990 to adopt its report.

/...

21. The Special Committee on the Participation of Developing Countries met in plenary in Washington D.C. on 9 February 1990 to review its work and agree on the content of its final report. The session was followed by a meeting of the Drafting Group, held in Paris from 5 to 6 April 1990. To assist developing countries in preparing for some of the main IPCC meetings, the Special Committee organized two open-ended meetings: one in Geneva (31 May to 1 June 1990) prior to the plenary session of the Response Strategies Working Group, and another in Sundsvall from 24 to 25 August 1990, prior to the fourth plenary session of IPCC. The open-ended session in Sundsvall approved the report of the Special Committee.

22. The fourth plenary session of IPCC was convened in Sundsvall, Sweden from 27 to 31 August 1990. The session adopted the overview to the IPCC First Assessment Report and endorsed the decision of the Bureau as to the structure and content of the IPCC First Assessment Report.

23. The policymakers' summaries of the IPCC report have been published and circulated accordingly. They constituted a major input into the deliberations of the Second World Climate Conference, as well as major bedrock upon which the negotiations for a climate convention will be based.

24. Accordingly, UNEP, with the support of WMO, should intensify its commitment to the IPCC process to ensure a timely assessment of the state of the world's climate in support of the negotiation process to elaborate a climate convention.

25. UNEP, with the support of WMO, should assist Governments in undertaking negotiations on a convention by:

(a) providing some secretariat support to the negotiating process through providing a P4/P5 lawyer and a secretary (support staff);

(b) providing technical support to the negotiation process as requested.

26. The Intergovernmental Panel on Climate Change met for its fifth plenary session in Geneva from 13-15 March 1991 and considered in detail its work programme for 1991 and beyond. The Panel established new working procedures and adopted its budget for the period 1991-1992. It set up task forces to address the following key issues:

- How to assess national net greenhouse gases emissions;
- Prediction of the regional distribution of climate change and associated impact studies, including model valuation studies;
- Energy-related issues;
- Forestry-related issues;
- Vulnerability to sea-level rise;
- Emissions scenarios

27. At the meeting, it was also agreed that the work of IPCC should take into consideration work already being done by WMO and UNEP. Specifically, it was agreed that the assessment of the impacts on sea-level rise should draw on the work done by UNEP's GEMS/Atmosphere and the Regional Seas Programme of the Oceans and Coastal Areas Programme Activity Centre.

/...

C. Framework convention on climate change

28. A meeting of the Ad Hoc Working Group of Government Representatives to Prepare for Negotiations on a Framework Convention on Climate Change was held in Geneva from 24-26 September 1990. It concentrated on organizational aspects of the negotiation process, and set up a negotiating committee, for which the first meeting was scheduled for Washington D.C. from 4-14 February 1991.

29. At the Washington (February 4-14 1991) meeting, the Negotiating Committee established two working groups to assist it in negotiating an international instrument to reduce global climate warming. Working Group I will deal with appropriate commitments for reducing greenhouse gas emissions; additional financial resources to enable developing countries to fulfil their obligations under the convention; technology transfer; and the special needs of developing countries. Working Group II will consider the legal and institutional mechanisms of preparing the framework convention.

30. The Negotiating Committee adopted guidelines for the negotiations on a framework convention, and for the organization of the Working Groups, and procedural points on the holding of meetings and on the drafting to be done. It was emphasized in the guidelines that all aspects of the negotiations should be dealt with in an integrated manner; that the work of the Groups must be interrelated and must be integrated by the plenary session; and that funding commitments, mechanisms, technology transfer and international scientific and technological co-operation should be integral elements in the negotiations. The Committee also adopted a decision urging contributions to a special voluntary fund set up by the General Assembly to support the participation of developing countries in the negotiating process. Some contributions have already been received.

31. Regarding relations with the Intergovernmental Panel on Climate Change (IPCC), the Committee concluded that the relationship had already been set out in General Assembly resolution 45/212 of 21 December 1990. The Committee said the IPCC was not a negotiating forum and that in continuing its work, as mandated by UNEP and WMO; the Panel could provide technical and scientific assistance in response to the requests of the Committee. Three other sessions of the Committee are to be held before January 1992.

Suggested action by the Governing Council

The Governing Council may wish to consider the following matters arising from the recommendations of the Second World Climate Conference and from General Assembly resolution 45/212 on Climate Change, requiring possible action by UNEP within available resources:

- Improving co-operation between UNEP and other United Nations agencies in the area of climate impact assessment and the studies needed to develop the proper response strategies particularly cost studies, and the implementation of relevant joint activities within the World Climate Programme;
- Supporting research efforts to anticipate and respond to adverse impacts of climate change at the global and regional levels;
- Strengthening public information programmes on the role of climate in development and on the additional risks posed by climate variability and change through a project with Switzerland and other donors within the framework of Earthwatch/GEMS;

/...

- Carrying out expert consultations on the overall cost of dealing with climate change and assisting Governments in country-specific studies to estimate the costs of complying with emission control measures and identifying the available technology and technology needs on a country by country basis;
- Supporting the creation of Global Climate Observing System (GCOS) and assisting in ensuring, as a matter of urgency, that its development and implementation is pursued with urgency by scientists, Governments and international organizations.
- Supporting a secretariat established by the United Nations General Assembly to service the negotiations on a climate change convention by the Intergovernmental Negotiating Committee through the secondment to the Secretariat of a P4/P5 lawyer from UNEP and an appropriate support staff member.

II. PROGRESS IN THE PREPARATION OF AN INTERNATIONAL LEGAL INSTRUMENT ON THE BIOLOGICAL DIVERSITY OF THE PLANET

32. By its decision 14/26, the Governing Council recognized "the need for adequate protection and preservation of biological diversity" and requested the Executive Director "to establish an ad hoc working group of experts to investigate the desirability and possible form of an umbrella convention to rationalize current activities in this field and to address other areas which might fall under such a convention".

33. At its fifteenth session, in its decision 15/34, the Council authorized the Executive Director "on the basis of the final report of the Ad Hoc Working Group of Experts, to convene, in consultation with Governments and within available resources, an ad hoc working group of legal and technical experts with a mandate to negotiate an international legal instrument for the conservation of the biological diversity of the planet".

34. As a result of these decisions, three sessions of the Ad Hoc Working Group of Experts on Biological Diversity took place in 1988-1990 and the first session of the Ad Hoc Working Group of Legal and Technical Experts on Biological Diversity was held in Nairobi from 19-23 November 1990. The meeting was attended by 71 countries, the majority developing countries, and 14 international organizations. It was preceded by an expert meeting of a Sub-working Group on Biotechnology (14-17 November 1990) to discuss issues relevant to biotechnology transfer and to advise on biotechnology elements for possible inclusion in the convention.

35. At its first session, the Ad Hoc Working Group of Legal and Technical Experts reviewed the reports of the Ad Hoc Working Group of Experts on Biological Diversity and the report of the Sub-working Group on Biotechnology, as well as elements recommended by these latter two Groups for inclusion in the convention. The Group requested the Executive Director of UNEP to prepare a draft convention on biological diversity for consideration at its second session, planned for February 1991, where the negotiating phase proper would begin. There was general agreement that the draft convention should be ready for signing by 1992 (the report of the Ad Hoc Working Group of Legal and Technical Experts on the work of its first session is contained in document UNEP/Bio.Div/WG.2/1/4).

36. The second session of the Ad Hoc Working Group of Legal and Technical Experts, which was held in Nairobi from 25 February to 6 March 1991, revised and adopted its Rules of Procedure, elected its Bureau and decided that work should be organized by establishing two sub-working groups (The report on the work of this second session is available as document UNEP/Bio.Div/WG.2/2/5). Sub-working Group I would deal with general issues such as the fundamental principles, general obligations, measures of in situ and ex situ conservation, and the relationship

/...

with other legal instruments, as well as the financial aspects of such measures, and, in particular, in the convention Chapters I, Objectives; III, Fundamental principles; IV, General obligations; V, Measures; and XI, Institutional measures at the national level.

37. Sub-working Group II would consider issues of access to biodiversity and related technologies, including biotechnology, technology transfer, technical assistance, financial mechanisms and international co-operation, and, in particular, Chapters VI, Availability and access; VII, Transfer of technology; VIII, Technical assistance and IX, Financial Mechanisms.

38. Additionally, several delegations proposed to give the Ad Hoc Working Group a new, more adequate title, which would clearly reflect its mandate to negotiate a convention on biological diversity at the intergovernmental level. This proposal found general support from other delegations. There was clear understanding that renaming the Ad Hoc Working Group would not mean creation of a new group, nor affect the continuity of the process of elaboration of a convention on biological diversity.

39. Several proposals were made as to a new title for the Group. The proposal to use the title "Intergovernmental Negotiating Committee" as the first part of a new title won the general support of the delegations. It was decided to recommend that the matter of renaming the Group be addressed to the Governing Council at its sixteenth session, the body with appropriate authority to make relevant decisions.

Suggested action by the Governing Council

The Governing Council may wish to:

Take note of the report of the Executive Director on progress in the preparation of an international legal instrument on the biological diversity of the planet;

Decide to rename the Ad Hoc Working Group of Legal and Technical Experts on Biological Diversity the "Intergovernmental Negotiating Committee for a Convention for the Conservation and Sustainable Use of Biological Diversity";

Decide that the Intergovernmental Negotiating Committee should be open to all States Members of the United Nations or members of the specialized agencies of the United Nations system, with the participation of observers in accordance with the rules of procedure adopted by the Ad Hoc Working Group of Legal and Technical Experts at its second session.

Further decide that this renaming of the Ad Hoc Working Group does not mean a new negotiating body nor affect the continuity of the process of elaborating the convention, which started with the first meeting of the Ad Hoc Working Group of Legal and Technical Experts.

III. SUSTAINABLE AGRICULTURE

40. As recommended by the Governing Council at its fifteenth session, the Executive Director conveyed decision 15/24 on sustainable agriculture to the Director-General of the Food and Agriculture Organization of the United Nations (FAO).

41. A joint FAO/UNEP technical consultation was convened from 2-3 October 1989 at FAO Headquarters in Rome, to discuss the modalities for co-operation in the implementation of decision 15/24.

/...

42. In preparation for the elaboration of a world strategy on sustainable agriculture and to formulate recommendations for practical action, the twenty-fifth FAO General Conference requested the convening of a conference on agriculture and environment, to be held in The Netherlands, from 15-19 April 1991, with support from the Government of The Netherlands and with joint co-operation between FAO and UNEP.

43. A preparatory meeting for the conference was held in Rome, from 8-12 October 1990. The documents presented at this meeting were reviewed by the internal UNEP task force on sustainable agriculture, and a consolidated UNEP input was delivered to FAO.

44. The outcome of the conference will also be made available to the Secretariat of the United Nations Conference on Environment and Development (UNCED) for use in the preparation of a strategy on sustainable production systems, as recommended by the first meeting of the Preparatory Committee meeting of UNCED.

45. To make use of China's experience of ecological farming in the planned strategy on sustainable production systems, a UNEP expert mission was undertaken to ecological villages in China from 12-17 October 1989.

46. Further, to satisfy the agricultural research community's growing interest in the use of geographic information systems (GIS) in efforts to increase the productivity of sustainable agriculture, especially in low-income developing countries, a scientific workshop was held in Nairobi from 14-18 January 1991, sponsored by UNEP, the Consultative Group on International Agricultural Research (CGIAR), and the Rockefeller Foundation. The workshop was also attended by participants from nine CGIAR centres, the International Centre of Insect Physiology and Ecology, the International Council for Research in Agroforestry, WMO, FAO and 20 institutions outside the CGIAR system. UNEP's Global Resource Information Database (GRID) was identified as being a potential focus for co-ordination of both relevant data and GIS technology for the system.

47. At the workshop it was agreed that work commence to develop, in an effective and timely manner, intelligent geographic information systems which would ultimately be used by decision makers to plan in a better way the use of scarce financial and environmental resources in the progression towards improved, sustainable and environmentally sound agricultural practices.

Suggested action by the Governing Council

The Governing Council may wish to note the report of the Executive Director on the implementation of Governing Council decision 15/24 on sustainable agriculture.



United Nations Environment Programme



Distr.
GENERAL

UNEP/GC.16/21/Add.4
26 April 1991

ORIGINAL: ENGLISH

GOVERNING COUNCIL
Sixteenth session
Nairobi, 20-31 May 1991

Item 7 of the provisional agenda

PROGRAMME MATTERS

Environmentally sound management of chemicals, in particular those
that are banned or severely restricted, in international trade

Report of the Executive Director

Addendum

1. In its decision 15/30, the Governing Council adopted the amended London Guidelines for the Exchange of Information on Chemicals in International Trade and requested the Executive Director to re-convene the Ad Hoc Working Group of Experts, which developed the prior informed consent (PIC) and other modalities to supplement the 1987 London Guidelines, with a view to:

(a) Monitoring the implementation of the amended London Guidelines, in particular the prior informed consent procedure (PIC) and the technical assistance provisions of part III of the Guidelines;

(b) Reviewing other activities related to production and use of chemicals in States with reference to the activities of UNEP, FAO, and other international organizations concerned;

(c) Preparing a report on any further steps that should be taken to supplement the amended London Guidelines, including the possible further need for a convention, for submission to the Governing Council at its sixteenth regular session.

2. The Ad Hoc Working Group of Experts on the Implementation of the Amended London Guidelines held two sessions: the first in Nairobi from 15-19 October 1990, and the second in Geneva, from 8-12 April 1991. Both

were attended by experts from 28 countries, including 17 developing countries. The Sub-Working Group of Legal and Technical Experts to Examine and Revise a Draft Model National Legislation on the Management of Chemicals met in Nairobi from 14-16 January 1991 in accordance with the recommendations by the Ad Hoc Working Group at its first session.

3. Reviewing progress in the implementation of the amended London Guidelines, the Ad Hoc Working Group noted the status of the designation of national authorities: as at 1 April 1991, 97 countries had designated their national authorities for the implementation of the information exchange and PIC procedure of the amended London Guidelines and the FAO International Code of Conduct on the Distribution and Use of Pesticides.

4. An FAO/UNEP joint programme for the operation of the PIC procedure, including the work of the FAO/UNEP Joint Group of Experts on Prior Informed Consent, was introduced to the Working Group. The experts noted the priority listing of the pesticides and industrial chemicals recommended by the FAO/UNEP Joint Group. The Group also noted that the FAO Conference at its twenty-fifth session in November 1989 had adopted the incorporation of the PIC procedure into the FAO Code of Conduct.

5. The Working Group reviewed the activities of several developing and developed countries related to production and use of chemicals, as well as such activities of United Nations bodies, other intergovernmental organizations, and industrial and non-governmental organizations concerned. The Group also reviewed international legal instruments related to the production and use of chemicals. Several experts reported on activities in their respective countries related to the implementation of the PIC procedure or, more generally, the management and control of chemicals. Likewise, representatives of international organizations reported on the ongoing work of their respective organizations.

6. The experts stressed the need for technical assistance to developing countries in dealing with chemicals in international trade. In the course of the discussion, the experts agreed that the following types of technical assistance related to the implementation of the amended London Guidelines and the PIC procedure would be urgently needed: (i) assistance in establishing or strengthening national institutions, including the provision of equipment to national laboratories; (ii) workshops and training for decision makers and technical personnel at different levels; (iii) provision of access to data banks and other sources of information on chemicals. The representatives of international organizations informed the Working Group of their respective activities on the provisions of technical assistance.

7. The Working Group examined the draft model national legislation on the management of chemicals for the implementation of the amended London Guidelines prepared by UNEP secretariat and considered it a very important and useful document, especially for developing countries. A revised text of the draft model legislation, provided by the Sub-Working Group, was reviewed by the Working Group. The Working Group generally agreed that a flexible document on model legislation, with a modular approach that would allow countries, in particular the developing countries, to develop their own procedures and legislation in the field of chemicals would be advisable.

8. The Working Group discussed at length the need for further work on strengthening the legal basis of the amended London Guidelines and the possible need for a convention on chemicals. The possibility of adding further elements to the amended London Guidelines was also discussed at the meeting.

9. The Working Group adopted several recommendations that constitute a part of this report on the suggested action by the Governing Council (see paragraph 11 below).

10. The report of the Ad Hoc Working Group on its first session is available in document UNEP/PIC/WG.3/6, and the second session's report in document UNEP/PIC/WG.1/2/4. The report of the Sub-Working Group is also available in document UNEP/PIC/SWG.1/1/2, which includes a revised text of the draft model national legislation in its annex.

11. Suggested action by the Council:

The Governing Council may wish to:

(a) Recall its decision 85 (V) of 25 May 1977, in which it urged Governments to take steps to ensure that potentially harmful chemicals, in whatever form or commodity, which are unacceptable for domestic purpose in the exporting country, are not permitted to be exported without the knowledge and consent of appropriate authorities in the importing country;

(b) Also recall its decision 14/27 of 17 June 1987, by which the Council adopted the London Guidelines for the Exchange of Information on Chemicals in International Trade, which constitutes an important step towards the implementation of decision 85 (V);

(c) Further recall its decision 15/30 of 25 May 1989, by which the Council adopted the amended London Guidelines for the Exchange of Information on Chemicals in International Trade, which incorporated the prior informed consent (PIC) procedure into it in order to fully implement decision 85 (V), and requested the Executive Director to re-convene the Ad Hoc Working Group of Experts, which developed the prior informed consent procedure and other modalities to supplement the 1987 London Guidelines, with a view to:

- (i) Monitoring, as appropriate and within available resources, the implementation of the amended London Guidelines, with particular attention to the prior informed consent procedure and the technical assistance provisions of part III of the Guidelines;
- (ii) Reviewing other activities related to the production and use of chemicals in States, specifically including the work of the Food and Agriculture Organization of the United Nations on integrated pest management and in implementing the International Code of Conduct on the Distribution and Use of Pesticides, the work of the United Nations Environment Programme in conjunction with industry on chemical management and safety issues, and the experience of the United Nations Environment Programme and the Organization for Economic Co-operation and Development on information exchange, control of chemicals and developing and implementing conventions or agreements on transboundary movements of hazardous wastes;
- (iii) On basis of such monitoring and review, preparing a report on any further steps that should be taken to supplement the amended London Guidelines, including the possible further need for a convention, for submission to the Governing Council at its seventeenth regular session;

(d) Take note with appreciation that, in accordance with decision 15/30, the Ad Hoc Working Group of Experts on the Implementation of the Amended London Guidelines has completed its work as requested;

(e) Note that the Conference of the Food and Agriculture Organization of the United Nations at its twenty-fifth session in November 1989 adopted the amendments to the International Code of Conduct on the Distribution and Use of Pesticides by which the prior informed consent procedure was incorporated in the Code in a manner fully compatible with that of the amended London Guidelines, both procedurally and with respect to health and environmental protection;

(f) Note also with satisfaction that the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations, through a joint programme including the work of their Joint Group of Experts on Prior Informed Consent, have been sharing the operational responsibility for the implementation of the prior informed consent procedure, including the selection of chemicals to be included, the preparation of prior informed consent decision guidance documents, mechanisms for information sharing, and the creation of data bases;

(g) Further note that the implementation of the amended London Guidelines, in particular the operation of the prior informed consent procedure and the implementation of the provisions on technical assistance set forth in part III of the Guidelines, would need additional resources for requisite activities to be undertaken by the United Nations Environment Programme;

(h) Urge Governments that have not yet done so to designate national authorities for the implementation of the amended London Guidelines, in particular the prior informed consent procedure;

(i) Recommend that the United Nations Environment Programme continue developing model national legislation to assist in the implementation of the amended London Guidelines by:

(i) Completing, as soon as possible, work on the current draft model national legislation that had been reviewed by the Ad Hoc Working Group, in close consultation with Governments and relevant international organizations;

(ii) Undertaking additional efforts to develop similar guidance material on other functional components of a comprehensive chemical management scheme, using the modular approach approved by the Ad Hoc Working Group;

(j) Recommend that the United Nations Environment Programme strengthen consultations with the Food and Agriculture Organization of the United Nations, the International Labour Organisation, the World Health Organization, the United Nations Institute for Training and Research, the General Agreement on Tariffs and Trade, the Organization for Economic Co-operation and Development, and the Commission of the European Communities in order:

(i) To enhance co-operation;

(ii) To harmonize activities relating to the implementation of the amended London Guidelines and the prior informed consent procedure;

(k) Recommend that the Executive Director invite the various private sector parties involved in the international trade in chemicals to enter into commitments aimed at achieving the objectives laid down in the amended London Guidelines and to prepare a code of ethics on the international trade in chemicals in consultation with the international organizations concerned;

(l) Recommend that the United Nations Environment Programme take urgent further steps for technical assistance to be provided to developing countries for the implementation of the amended London Guidelines;

(m) Recommend that Governments take all possible domestic measures to ensure that all concerned ministries and bodies in their countries are aware of the prior informed consent procedure;

(n) Urge Governments to adopt, to the extent possible, national legislation or to amend existing national legislation in order to incorporate necessary measures to implement the prior informed consent procedure and to prevent exports that contravene prior informed consent decisions by importing countries participating in the procedure;

(o) Request the Executive Director to re-convene the Ad Hoc Working Group for further urgent action, including work on strengthening the legal basis of the amended London Guidelines through the development of a convention, taking into consideration, inter alia, experience gained in the implementation of the Guidelines and the prior informed consent procedure, the ongoing work of the Preparatory Committee for the United Nations Conference on Environment and Development with regard to the development of an international framework for the environmentally sound management of toxic chemicals, and other relevant international instruments and activities.



United Nations Environment Programme



Distr.
GENERAL

UNEP/GC.16/21/Add.5
2 May 1991

ORIGINAL: ENGLISH



GOVERNING COUNCIL
Sixteenth session
Nairobi, 20-31 May 1991

Item 7 of the provisional agenda

PROGRAMME MATTERS REQUIRING POLICY GUIDANCE FROM THE COUNCIL

Report of the Executive Director

Addendum

STRATEGIES FOR THE PROTECTION AND DEVELOPMENT OF THE OCEANS AND COASTAL AREAS

Note by the Executive Director

1. The Executive Director is pleased to submit to the Governing Council the attached table of contents, together with the draft highlights, of a report on strategies for the protection and development of the oceans and coastal areas, commissioned in a joint effort by UNEP and the Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization.
2. UNEP and IOC are the two major United Nations bodies with versatile and multifaceted programmes dealing with oceans and coastal areas. The common experience of both organizations, based on more than a decade of fruitful and close co-operation on numerous joint programmes, confirmed that underdevelopment or improper development are at the roots of most environmental problems, and that meaningful and lasting environmental protection is indeed inseparably linked with social and economic development. In such context, and as part of IOC's and UNEP's preparations for the 1992 United Nations Conference on Environment and Development (UNCED), an attempt is being made by their secretariats to analyse the present problems of the marine and coastal environment and to formulate strategies which may contribute to the solution of these problems, taking into account the issues raised in General Assembly resolution 44/228. It is expected that the document, once completed, will provide the basis for common strategies of IOC and UNEP in dealing with marine and coastal affairs and thus will strengthen the capacity of these organizations, and the United Nations system as a whole, to respond in a more concerted and coherent way to the present and forthcoming environmental problems.
3. This effort is part of a broader review of challenges and achievements in four main areas in light of the twentieth anniversary of UNEP:
 - (a) State of the environment 20 years after the 1972 Stockholm Conference;
 - (b) United Nations Plan of Action to Combat Desertification;
 - (c) The Montevideo Programme on environmental law;
 - (d) Oceans and coastal areas.

In each of these areas it is important to look at what has been implemented and what has not, as well as what should be the direction of plans for future work in order to solve past problems and face new challenges. These efforts are carried out notwithstanding that final adjustments of the results of the reviews may have to be made after the General Assembly in 1992 decides on the recommendations of the United Nations Conference on Environment and Development.

4. The first incomplete draft of the analysis and the proposed strategies was presented for information to the recent session of the IOC Assembly, held in Paris from 7 to 22 March 1991. The Assembly took note of the draft, welcomed this joint initiative and encouraged the secretariat of IOC to pursue the completion of the document in co-operation with UNEP.

5. The UNCED secretariat is being kept informed about this joint activity of IOC and UNEP as it may contribute to the preparations for the 1992 Conference.

Suggested action by the Governing Council

The Governing Council may wish:

1. To approve the completion of the strategy document by UNEP, in co-operation with IOC, as an important input to the planning of UNEP, IOC and other parts of the United Nations system;

2. To request the Executive Director to arrange for the completed document to be submitted to the Governing Council at its special session in 1992 for endorsement, as well as to the IOC Assembly, and to be made available to the United Nations Conference on Environment and Development, either directly or through its Preparatory Committee.

Annex

STRATEGIES FOR THE PROTECTION AND DEVELOPMENT OF THE OCEANS
AND COASTAL AREAS

CONTENTS

	<u>Page</u>
HIGHLIGHTS	i
INTRODUCTION	1
1. MAIN PROBLEMS, THEIR CAUSES AND POSSIBLE REMEDIES	3
Coastal and near shore areas	3
Open oceans	5
Resources	6
2. COASTAL AND NEAR-SHORE ZONE MANAGEMENT FOR SUSTAINABLE DEVELOPMENT	7
Marine pollution control	8
- status	8
- problems	10
- remedies	11
Sustained management of living resources	16
- status	16
- problems	17
- remedies	19
Protection of biological diversity	22
Rational exploitation of mineral resources	22
Emerging global environmental issues affecting coastal development	22
- status	22
- problems	23
- remedies	25
Tools to achieve goals	30
- data management	30
3. MANAGEMENT OF OPEN OCEANS	30
4. RESPONSE TO ENVIRONMENTAL EMERGENCIES	31
5. INPUT FROM SCIENCE	33
Research	33
Monitoring/observations	34
- status	34
- problems	35
- remedies	36
Forecasting	38
6. EDUCATION AND PUBLIC AWARENESS	39
7. STRENGTHENING OF NATIONAL INSTITUTIONS	41

	<u>Page</u>
8. NON-GOVERNMENTAL ORGANIZATIONS	43
9. BUSINESS AND TRADE COMMUNITIES, FINANCIAL INSTITUTIONS	43
10. INTERNATIONAL CO-OPERATION	44
Legal instruments	44
- status	44
- problems	45
- remedies	46
Funding	47
Information sharing	48
Transfer of technologies	48
Training	49
11 ECONOMIC AND FUNDING CONSIDERATIONS	50
12 INSTITUTIONAL AND FINANCIAL ARRANGEMENTS FOR THE IMPLEMENTATION OF THE PROPOSED STRATEGIES, WITH SPECIAL REFERENCE TO THE POSSIBLE ROLE OF EXISTING UNITED NATIONS STRUCTURES AND MECHANISMS	51

HIGHLIGHTS

Importance of the oceans, coastal areas, and their resources

1. The oceans have always had and will continue to play a decisive role in shaping the life of this planet. The global energy budget and the biogeochemical processes on which all life depends are critically influenced by the oceans.
2. The interactions between the oceans and the coastal terrestrial areas are numerous and very intimate. The ecological systems of the coastal areas, as well as the socio-economic development of these areas, are heavily influenced by the conditions created by the proximity of the oceans. Nowhere is this mutual interdependence and influence so evident as in the coastal and near-shore zones of enclosed and semi-enclosed seas, and on islands.
3. The near-shore maritime areas contain the largest part of commercially exploitable marine living and mineral resources. They are also the zones used for mariculture, whose full potential is yet to be developed.
4. Due to the numerous advantages offered by the coastal and near-shore areas, they have since antiquity been among the most intensively used parts of the planet. One third of today's population lives on the sea-shores or in their immediate proximity; a variety of industries have developed on a large scale along the coast; the coastal zones are a major recreation area and the basis for expanding tourism, harbours are essential as centres for national and international transport and trade.
5. The global water circulation regime and the global climate are heavily influenced by the Antarctic continent and the Southern Ocean. At the same time they are, apart from the exploitation of marine mammal populations, the last frontier on the earth preserved in virtually intact conditions.

Main problems and their causes

6. The nature of the problems affecting the marine and coastal environment has not altered greatly in the past decades. However the incidence and extent of human interference in the coastal areas, as well as our perception of the main threats and corresponding solutions have changed markedly on the basis of knowledge and experience accumulated over the same period. Today the environmental problems are recognized as problems stemming from inadequate or improper development whose ultimate solution should be sought in resolving conflicting interests for space and resources in the framework of an environmentally sound economic development.
7. Aside from some living resources, the open oceans seem to be still largely unaffected, but the physical and ecological degradation of coastal areas and the increase in pollution of near-shore waters from land-based sources are accelerating at an alarming pace. The often dramatic and irreversible alteration of natural coastal ecosystems and the extensive pollution of the sea are primarily caused by the rapid growth of coastal settlements, the expansion of recreational areas, and the concentration of industrial development in coastal zones, accompanied by inadequate environmental and economic policies. The situation in many enclosed and semi-enclosed seas, largely due to pollution from land-based sources, or from major maritime accidents, such as the one involving the Exxon Valdez, is of particular concern.
8. The expected impact of predicted climate changes will exacerbate the present problems and may, in areas such as low-lying islands and coastal zones, significantly influence or even imperil their future development and use. The predicted climate change will certainly affect marine living resources in many ways. Large scale changes in total marine fisheries production are not expected, although individual stocks may suffer. Mariculture will probably be more affected. Tropical upwelling zones, which produce large amount of fish resources may shift polewards by hundreds of kilometres. The year to year variability of the resources they

support may increase and the increased plankton productivity may reduce oxygen levels and lead to anoxic situations. The increased ultraviolet radiation related to ozone layer depletion may lead, according to some estimates, to detrimental effects on some shallow water ecosystems such as coral reefs, and may affect plankton growth.

9. The oceans and coastal areas are still not considered as finite economic assets which can be used on a sustainable basis only by prudent and rational exploitation. This is particularly evident when development plans and environment confront conventional spending priorities. Therefore relatively low priority is assigned in most national development plans to the protection of these areas and to rational use of their resources. The result is a scarcity of funds needed for measures which could prevent, reduce or eliminate pollution of the marine environment, halt the physical degradation of coastal areas and protect their resources. In reality, such approach leads to seriously reduced capacities for socio-economic development. The poor countries are particularly vulnerable due to this vicious circle.

10. The situation is specially serious in economically disadvantaged countries burdened by depletion of natural resources, heavy indebtedness, unstable commodity prices and unfavourable trading systems. International assistance which would allow disadvantaged countries to cope with their environmental problems, often originating from industrialized world (e.g. global climate change), is negligible, frequently even misguided, and is not commensurate with the magnitude of the problems to be solved.

11. The polar regions contain some of the most fragile ecosystems. Indiscriminate exploitation of their living resources has already brought some mammal species to the brink of extinction which may have caused a serious imbalance in the natural ecosystems.

12. War is among the most destructive and wasteful human activities. Its direct and indirect impact on the environment, economy and human wellbeing are enormous and, as demonstrated by the consequences of the recent hostilities between Kuwait and Iraq, can reach catastrophic dimensions, covering large geographic areas.

13. The capabilities of most countries, especially the developing ones, are still generally insufficient to cope adequately with the full complexity of the assessment of the problems facing their marine and coastal environment and the rational management of their resources. National institutional structures are generally too weak and lack the interdisciplinary expertise needed for effective action. This weakness of national structures also seriously hampers the effective participation of many countries in international efforts designed to protect and develop the marine and coastal environment.

14. The protection of the marine and coastal environment is reflected in the national legislation of most countries and in numerous international agreements. However, the provisions of these legislative acts are not applied efficiently to guarantee development without undermining the natural resource-base.

15. Public awareness about the problems of the marine and coastal environment is still generally weak although in some countries it plays an important and highly visible role in mobilizing support from broad segments of population for the necessary societal decision-making needed for the development of that environment and rational utilization of its resources.

16. The knowledge accumulated during past decades about the magnitude and the main causes of the problems is considerable and sufficient to realize that the situation is serious and calls for urgent action. The technical solutions to most of these problems are also quite well known and are available. However, present databases and understanding of the processes shaping the natural conditions of oceans and coastal areas are generally

inadequate for management purposes and for the reliable predictions about the trends in these conditions and, consequently, forecasts for changes that may be expected contain a relatively high degree of uncertainties.

17. In summary, four main factors, none of them specific to the marine and coastal environment, seem to be at the root of present environmental problems hampering sustainable development:

(a) Inappropriate national and international economic policies and forms of development which do not take into account adequately the environmental consequences of these policies;

(b) Weak regulatory mechanisms and administrative systems dealing with environmental issues;

(c) Insufficient public awareness about the real causes and magnitude of environmental problems, and about the available remedial measures; and

(d) Inadequate forecasting of emerging environmental problems.

Remedies

18. *Sustaining human life and well-being requires development and a healthy environment.* Development can become difficult to achieve if natural resources are depleted or the environment degraded. Therefore, the ultimate goal of all strategies for the development and protection of the oceans, coastal waters and their resources should be to ensure their rational use. In case of renewable resources rational use must imply indefinite sustainable use. The use of non-renewable resources obviously, can not be sustained indefinitely, but must provide the economic basis for build-up of activities and conditions that will ensure or contribute to a long-term and sustainable socio-economic development once the non-renewable resources are exhausted. Consequently, all remedies for the present and anticipated environmental and developmental problems should be designed with that goal in mind, and their appropriateness should be judged from the degree in which they succeeded to achieve that goal.

19. The problems of the oceans, coastal areas and their resources are of global significance and hence their solution requires *global environmental strategies inseparable from global development strategies.*

20. The present problems are most evident in coastal and near-shore areas under the direct onslaught of man's activities. Although seemingly local in nature, these problems are so widespread and are so evident even at sites far away from their origin that only globally applied strategies have a chance to achieve *long-term solutions.* However, the type and intensity of measures and policies, if they are to be effective, must be made in response to the actual situation, keeping in mind that a solution at one site should not create a nuisance elsewhere. Consequently, the most cost-effective remedies should be sought through *action on local and national level, undertaken in the framework and as part of wider regional and global development strategies,* including the transfer of the necessary resources, technology, knowledge and skills to the disadvantaged countries.

21. The protection of high seas and of their resources obviously require a *global approach* because unco-ordinated local or unilateral national action cannot contribute significantly to the solution of their problems. The exploitable living and non-living resources of the Southern Ocean require a specially restrictive management regime. Due to the extreme fragility of the Antarctic ecosystems, an internationally binding agreement to refrain from commercial exploitation of its mineral resources may be the only safeguard for its environment. As a minimum, such prohibition should be imposed for 40-50 years and reviewed after 10-15 years.

22. The application of *environmentally sound management practices* in coastal and maritime activities, rather than narrowly defined "conservation", is now accepted as one key to safeguarding and developing the marine and coastal environment and their resources. The unplanned or

poorly planned land- and sea-use practices, the irrational exploitation of natural resources, and the pollution to which they incidentally give rise can be avoided only by these means. Management implies use: rational use. Emphasis on the concept of *integrated management* reflects a critical change from earlier views of most environmentalists that the oceans had to be preserved unchanged rather than used rationally.

23. The seas have no physical boundaries to prevent movement of polluted waters. Therefore global or regional strategies are needed to control *transboundary pollution from land-based sources*, including pollution reaching the marine environment through rivers and the atmosphere. The strengthening and enforcement of the 1977 Convention on the *prohibition of military or any other hostile use of environmental modification techniques* should be urgently considered by the international community.

24. Accidents resulting in damage to the coastal and nearshore environment, such as the pollution caused by tanker accidents, can not be completely avoided, but with the formulation and adequate implementation of *contingency and emergency plans* their environmental impact can be considerably mitigated.

25. Although the effects of predicted climate changes may not be felt in the near future, in the long-term their implications for the socio-economic life of coastal zones may be considerable and particularly serious for low-lying countries and small islands. The *adaptation to the changing conditions* will require a long lead-time. Therefore the full complexity of the potential problems which may be associated with predicted climate changes should be analyzed without delay and the possible *policy options and measures* which may be used as suitable response to the expected impacts should be examined and reflected in the national *integrated coastal zone management plans*.

26. The policies, measures and arrangements for the protection and use of the marine and coastal environment, if they are to be rational and thus effective in the long term, should be based on an *improved understanding* of marine and coastal ecology, including ecosystem dynamics; of the relevant ocean processes; and of their interaction with terrestrial and atmospheric systems.

27. *Long-term systematic research and observation programmes* should be organized according to a globally co-ordinated strategy to *monitor the changes* in the state of the marine and coastal environment and of ocean processes, and their interaction with atmospheric and terrestrial processes. The results of the research and observations should be critically evaluated and widely disseminated through easily accessible databases.

28. The national institutions in charge of environmental protection in many countries are usually weak or even nonexistent. Their influence on national development plans is frequently only of marginal importance. Without creating *strong national infrastructures*, equipped with interdisciplinary expertise, and without giving them access to the circles where decisions relevant to the protection of environment are made, no effective protection of coastal and marine environment could be expected.

29. The protection and development of seas and coastal areas require a variety of expertise, and above all a good grasp of the cross-sectoral nature of environmental protection. While narrow, sectoral technical expertise exists in most countries, greater efforts should be devoted to the *training of experts in interdisciplinary skills*.

30. Effective protection of the oceans can be achieved only through a high level of *intergovernmental co-operation*. It is essential therefore to strengthen and expand the *multilateral programmes and agreements* designed to protect the marine and coastal environment according to the specific needs of the countries concerned. *Assistance to the economically disadvantaged countries* must be part of arrangements supporting intergovernmental co-operation.

31. Existing *global and regional agreements*, although not universal remedies, are among the most forceful international arrangements providing the legal basis and signifying the *political commitment* for joint action. Therefore broader adherence to the existing agreements and strict application of their provisions would contribute considerably to the protection of the marine and coastal environment. Whenever appropriate, existing agreements should be expanded or adapted to the changing needs of the countries concerned, and additional agreements should be adopted to regulate subjects not covered by existing agreements.

32. Although *transfer of technology, experience and data, provision of training, as well as financial assistance, preferential treatment and compensation for damage* are usually among the provisions of existing international agreements, the developing countries have benefited relatively little from such provisions. Therefore *fostering of global solidarity* must be an essential element of all international agreements.

33. The widest *popular participation* in the protection of the marine and coastal environment is essential. Such participation necessitates involvement of those who may be affected by changing environmental conditions in *decision-making debates* about development schemes which may cause such changes. It also requires broad *educational and public awareness programmes*, including introduction of environmental subjects in school curricula on all levels, as well as the provision of regular information to the general public through mass media and special publicity campaigns about the environmental and developmental issues. Such publicity campaigns should emphasize the importance of the potential *contribution from each individual* to maintain a healthy environment as a basic precondition for sustainable socio-economic development.

34. The lack of funds, particularly in developing countries, is the crucial and single major impediment for a more forceful environmental protection action. The remedy, without which all measures and decisions will remain only at the level of declarations, is in the provision of *financial resources* additional to those currently available, enabling the disadvantaged countries to become equal partners in dealing with global economic and environmental issues. The financial resources required are of unprecedented magnitude, unlikely to be met from regular government budgets. They could come from increased flow of assistance through the mechanisms of international agreements, from radical expansion of the present *bilateral arrangements* between developing countries and lending/funding/donor/aid agencies and countries, or from new *multilateral funds* through which such resources would be channelled to disadvantaged countries.

35. However, no combination of policies, technologies and resources can significantly ameliorate the present situation unless the *non-technological roots of the problems* are overcome: population pressure on limited resources and space, competitive nationalism, the global maldistribution of wealth and opportunity, the notion that economic growth and human wellbeing are directly proportional and, last but not least, the illusion that supposes civilizations to be self-supporting without help from natural ecosystems. Obviously, in order to achieve these, a *new attitude, based on global solidarity*, would be required.
